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publishers may legally accept transportation over the railroads in return for advertising in their columns probably will soon be decided by the Supreme Court of the United States. The Chicago, Indianapolis & Louisville Railway Company, generally known as the "X-non Route" has brought to that court a case involving this question, and it is probable that court will find in it a subject of such general importance as to justify it in advancing the hearing.

The suit originally was instituted by the government in the United States Circuit Court for the northern district of Illinois.

That court held that such a transaction would, in all probability result in discrimination and therefore decided against the company.

Convicted Grafter Dies.
(By Associated Press.)
MEDIA, PA., Dec. 30.—William L. Mathews, former treasurer of Pennsylvania, died suddenly late today at his home here, aged 46 years. The cause of death was given by his physician as pneumonia, but it is generally believed that this illness was superinduced by Mathews' tribulations which were brought on him by the Harrisburg capital graft cases, and his recent sentence of two years in the penitentiary for his part in the alleged conspiracy against the State.

President Roosevelt's Holiday.
WASHINGTON, D. C., Dec. 30.—President Roosevelt will enjoy his only rest during the present holiday season by a visit tomorrow to the country home of Surgeon General Rixey, of the navy.

He will spend the entire day at the Rixey home, which is located on the Virginia hills just across the Potomac river from Washington.

Two Women Charged With Erb Killing on Trial for Life.

TEN WITNESSES ARE EXAMINED

Sister of Dead Man's Wife Assumes Responsibility for Death Dealing Shot—Contends That She Acted in Self Defence.

(By the Associated Press.)
MEDIA, PA., Dec. 30.—The trial of Mrs. M. Florence Erb and her sister Mrs. Catherine Beisel, for the murder of Captain J. Clayton Erb, progressed rapidly here today.

Adjournment was announced until tomorrow morning.

About ten witnesses were examining the servants in the employ of the Erb household at the time of the tragedy, and some officials who investigated the crime.

The testimony, the defense lawyers said, tended to sustain the contention that Mrs. Beisel, as she has maintained from the first, fired the fatal shot.

Turned Revolver Upon Owner.
Each witness who described the scenes at the house after the shooting testified that she admitted having taken the revolver from Erb and turned it on him.

There was direct testimony, however, to uphold her contention that she acted in self defence.

The testimony in no manner associated Mrs. Erb with having done the shooting.

Quarrels and fights at "Red Gables" long preceding the tragedy were described by the servants, and one witness testified that Mrs. Erb had confessed that her husband once threw her down stairs, breaking several ribs; that she feared her husband, and always slept with a revolver under her pillow, and with a servant in the room to protect her, was also admitted in evidence.

FOR ITALIAN SUFFERERS.
WASHINGTON, D. C., Dec. 30.—At the meeting of the executive committee of the American National Red Cross, it was decided that inasmuch as the California work of the society ends tomorrow to appropriate from the surplus of the fund for that work now in the hands of the Red Cross the sum of \$50,000 for the benefit of the sufferers in Southern Italy. It was arranged that this money should be transmitted tomorrow through the state department direct to the Italian Red Cross at Rome in order that it might be utilized at once.

MESSINA IS A MASS OF FIRE-SWEPT RUINS

Seventy Thousand Persons Perished in This One Town as Result of Earthquake.

DESTITUTION IS APPALLING

Reggio and Score of Other Towns Devastated—40,000 Died in Reggio—Total Deaths Far Above Hundred Thousand—Survivors of Earth Convulsion Starving.

(By Associated Press.)
ROME, Dec. 30.—The immensity of the earthquake disaster in Southern Italy and Sicily can only be measured by the fact that it is now estimated that 110,000 people perished in Messina and Reggio. A score of other towns have been devastated, and thousands of victims in these places must be added to the roll.

In the face of this awful catastrophe all Italy stands appalled.

Nor has the full death list yet been reported. Ship loads of fugitives have arrived at Naples and other ports, and the vast majority of these are sorely injured. Thousands are wandering about the streets starving. The forces that on Monday overwhelmed the cities also destroyed the means of subsistence.

Communication Reestablished.
Telegraph communication has been established with Messina, the apparatus having been installed in a railway van.

Messages which have come over the line though they have been meager in detail, show that hope is gone.

Nothing remains of the city but a mass of ruins that have been swept by fire. A more handful of survivors are being cared for by the Russian forces, but their distress has been increased by the lev winds.

Destitution Everywhere.
Destitution is everywhere and is appalling. There is little food and less water. Of Messina 90,000 population it is believed that fully 70,000 perished.

Forty thousand people died in Reggio.

King Victor Emmanuel and Queen Helena are in Messina today. The king explored the ruins regardless of the danger to which he expressed himself. He was often moved to tears at the heartrending scenes he came upon at every turn.

The king was loud in his praise of the splendid work accomplished by the Italian, Russian and English bluejackets who saved many persons who otherwise would have perished.

The queen spent the day in the wards of impoverished hospitals; visiting the wounded, many of whom have lost all that was dear to them. Her majesty did her best to cheer them with womanly words of consolation often breaking into sobs as she listened to their dreadful tales of suffering.

The king left for Reggio tonight. Refugees Terror Stricken.
Catania, the largest city nearest to the zone of the disaster, is crowded with refugees and the continuous stream of fugitives coming in the sight of the wounded and repetition of real or imaginary earthquakes have so alarmed the people that they are becoming uncontrollable. There is no longer any places where the refugees may find shelter.

Cardinal Francis-Nava Bonifce, archbishop of Catania, has employed all the money in his possession to provide bread for the fugitives, but the poor of Catania are also in great need, as the ordinary business pursuits have been entirely interrupted.

The government is finding difficulty in ascertaining the fate of the many foreigners who were in the earthquake zone at the time of the catastrophe.

American Consul Dead.
The commander of the battleship Admiral Makharoff, which arrived with fugitives at Naples today, confirms the report of the death of the American consul at Messina, Arthur S. Cheney and his wife, who were buried in the ruins of the consulate.

GOVERNOR ASKS AID FOR EARTHQUAKE SUFFERERS

Urges Virginians to Substantially Show their Sympathy for Stricken People.

(By the Associated Press.)
RICHMOND, VA., Dec. 30.—Governor C. A. Swanson tonight issued the following proclamation:

"To the people of Virginia. A disaster of appalling proportions has occurred in the island of Sicily and Southern Italy. It is estimated that the lives of 200,000 people have been lost, and a million rendered homeless and destitute.

"Never before in the world's history has there arisen a greater occasion for our sympathy or a greater necessity for immediate substantial aid to sufferers.

"I believe that the people of Virginia will be glad to express their sympathy by making contributions to alleviate the present frightful distress of our fellow beings.

"Therefore, I, as governor of this state, do earnestly request that the people of the cities, towns, villages and counties of Virginia, either in mass meetings or by private subscriptions, make such a contribution as they are able to do for the relief of those afflicted people.

Collection on Sunday Next.
"I do further request that the people at their respective places of worship on Sunday next, or at the very earliest meeting, and all fraternal organizations make collections for this purpose. Let each give as his conscience may dictate, or his means justify. The earlier these collections are made the better. The necessities of these people are urgent and immediate.

"I appoint as a committee to receive any contributions that are made in pursuance of this request, Mr. John P. Branch, Mr. John B. Purcell, Mr. L. Z. Morris, Mr. James N. Boyd, Hon. J. Taylor Ellison and Mr. William M. Hill, to any one of whom remittances may be made."

HELD FOR MURDER.
White Man and Negro Charged With Killing of Mitchell.
(By Associated Press.)
RALEIGH, N. C., Dec. 30.—At the close, late today, of a two days preliminary hearing, by Justice Dixon and Mayor McMillan of Edenton, Will Drew, white, and a negro named Warren, were held without bail charged with the murder of John T. Mitchell, a white man whose body was found afloat in Edenton bay, Christmas Day.

Bob Francis, white, also was held under \$250 bond. Several wounds were discovered about the head when the body was found.

This led to suspicion of a foul play and a coroner's jury was empaneled and an investigation begun.

A post mortem examination revealed the fact that life was extinct before the body reached the water.

The coroner's jury rendered a verdict that the deceased came to his death at the hands of parties unknown to the jury.

The coroner's jury then requested a thorough investigation by the sheriff and police.

Monday Will Drew, Jim Goodwin, John Lassiter, all white, and two negroes named Cook and Warren were arrested. Later Bob Francis was arrested.

"AD" LED TO TRAGEDY.
Husband Kills Amateur Actor Who Lured Wife Away.
DENVER, Dec. 30.—An advertisement for an actress to accompany C. J. Dury on a vaudeville tour was the first step in the tragedy which resulted yesterday in the killing of Dury by C. Burdette Bell.

The advertisement, inserted in a Denver paper, attracted the attention of Mrs. Bell, whose husband was working in Laramie, Wyo., and she called on Dury. Dury told the young wife stories of stage life which enchanted her, and a week ago she left her mother's home, taking her baby and went to live with Dury, who has previously left his consensual wife at an outdoor resort in Englewood.

PUTS QUIETUS UPON SOUTHERN "TAFT CLUBS"

President-Elect Doubts Wisdom of "Independent Democrats" Borrowing His Name.

THEY SHOULD USE PROPER TITLE

Declines to Encourage Such Organizations, However Styled, At Present—Question Discussed With Hammond and Richmond Man—Taft Will Pay Visit to Negro School.

(By Associated Press.)
AUGUSTA, GA., Dec. 30.—President-elect Taft has effectively put a quietus on the desire which was beginning to develop into activity to organize "Taft Clubs" throughout the South.

Mr. Taft doubts the wisdom of encouraging at this time political activity in any form.

In this view he is heartily seconded by Mr. Hitchcock, Republican national chairman.

This subject was under direct consideration today at the initiative of John Hayes Hammond, who was willing at this time to undertake to extend the influence of the National League of Republican Clubs throughout the Southern States preferably under the style of "Taft Clubs."

Should Bear Proper Name.
Mr. Taft declared firmly against the "Taft Club" proposition. Should it become expedient at some future time to encourage the organization of the "Independent" Democratic element of the South, he believes such organizations should be called exactly what they are, "Independent."

The subject was discussed between Mr. Taft, Mr. Hitchcock, Mr. Hammond and Henry Anderson, of Richmond, Va.

W. H. Mitchell, of Atlanta, who was invited here by Mr. Hammond, saw Mr. Taft.

Mr. Taft today received information from Charles Hopkins Clark, of Hartford, regarding the Connecticut senatorial contest being waged between Senator Brandegee and Edw. Hill. Mr. Clark favors the latter for the place. Incidentally he presented to Mr. Taft the claims of the Nutmeg State for cabinet recognition.

Will Visit Negro School.
Judson Lyons, former register of the treasury, who is a resident of Augusta, Ga., obtained Mr. Taft's promise to pay a visit and make an address at Hains Normal school, a local school for negro children.

Mr. Taft will visit the school January 19.

George R. Sheldon, who has joined the winter colony at Aiken, S. C., said his respects to Mr. Taft today and played a game of golf on the grounds of the Country Club.

The Country Club is to be the scene of a New Year's eve reception at which Mr. and Mrs. Taft will be presented to the several hundred members of the club of which the President-elect has been made an honorary member.

Missouri Talks Tariff.
That zinc should be protected in the next tariff law is the earnest contention of W. B. Calkins, who comes from the zinc producing portion of Missouri.

Mr. Taft referred Mr. Calkins to the ways and means committee of the House of Representatives as the place to make representation.

Mr. Calkins indicated that he was bound for Washington, but believed that the President-elect ought also to be in possession of the needs of his industry. Protection against Mexico is his desire.

he refused to remain, drew a revolver and shot Stone in the right temple.

"When he fell she fired again, the ball lodging in the base of his brain. She then shot herself twice in the forehead and temple.

"The doctors at the hospital say the woman has a fighting chance for her life.

"Stone has two brothers, Albert Stone, of New York, and Captain Edgar Stone, United States Army, stationed at Luzon, P. I.

"The former is on his way here to take charge of the body."

Coroner's Verdict.
RALEIGH, N. C., Dec. 30.—A special tonight from Washington, says a jury to examine into the death of Luther E. Stone was sworn in this afternoon by Coroner Taylor and after viewing the remains, watching a postmortem examination and hearing the testimony of witnesses, rendered a verdict "that the deceased came to his death from a pistol in the hands of May Woolard."

Several persons were arrested today and held as witnesses.

No American Deaths Reported.
ROME, Dec. 30.—Ambassador Griescom returned late this afternoon from the foreign office where he went to make inquiries regarding the Americans who may have been in Calabria and Sicily at the time of the disaster.

It is not believed there were any Americans at either Messina or Reggio when these cities were demolished, with the exception, of course, of American Consul Cheney and wife.

There may have been some American tourists at Taormina, but no casualties have been reported from that place.

WIFE CANNOT TESTIFY

Tennessee Court Rules Out Testimony in Husband's Defense.

MANY WOMEN WENT VISITING

Evidence Yesterday in Night Riders Trial Shows Half of Reelfoot Population Visited Other Half on Fatal Night.

(By Associated Press.)
UNION CITY, TENN., Dec. 30.—The question of whether a wife can testify for her husband was raised today in the trial of the eight alleged night riders for the murder of Captain Quentin Rankin, and the court ruled that under the laws of Tennessee a wife could not testify for or against her husband.

When the defense offered to examine Mrs. Bud Morris, wife of one of the eight indicted men, the state objected and was sustained because the only alibi she could testify to was in behalf of her husband.

The defense then put Mrs. Bob Hoffman and Mrs. Sam Applewhite on the stand, and Mrs. Hoffman testified to an alibi for Sam Applewhite, and Mrs. Applewhite for Bob Hoffman, both women alleging that the Hoffmans were their guests on the night of the murder.

Many Went Visiting.
Evidence introduced today made it evident that half the Reelfoot Lake population spent the night of the murder with the other half.

IN TREMBLING VOICE MAJOR HAINS TESTIFIED

Principal Witness for Defense in Prosecution of Thornton Hains—His Brother.

COUNSEL'S ILLNESS HALTS TRIAL

Brother of Two Accused Men Took Jury of Changes He Noted in Captain's Mental Condition—Then Fall from His Eyes All Through Recital.

(By the Associated Press.)
FLUSHING, N. Y., Dec. 30.—A sudden indisposition of John P. McIntyre, chief of counsel for Thornton J. Hains, charged with the killing of William E. Annis, caused an adjournment of the trial this afternoon until tomorrow.

Mr. McIntyre complained of illness during the morning session and an early recess was taken at his request.

Mr. McIntyre found himself unable to go on with the case this afternoon and Justice Crane ordered an adjournment to Thursday.

Dr. Austin Flint, the alienist for the prosecution, informed Justice Crane that McIntyre was suffering from overwork and that a short rest would probably prevent a breakdown later, which would cause a longer adjournment.

Counsel Seized with Dizziness.
Mr. McIntyre was seized with dizziness while examining Major John Hains, U. S. A., brother of Thornton Hains, who had been called and testified to his brother's mental condition, which is said to have been brought on by marital troubles.

Major Hains was the principal witness for the defense today. His voice that trembled with emotion, Major Hains told the jury of the changes that he had noted in his brother's mental condition from a year ago to the time when the captain told of those happenings that led to the separation from his wife.

All through his testimony the tears fell from Major Hains' eyes.

Major Hains said Captain Hains displayed evidences of being irrational and that his mind constantly reverted to the things that had been told him concerning his wife's alleged conduct with Annis.

Mrs. General Peter C. Hains, mother of the defendant, is reported here to be quite ill in New York and it is said that she may not be called as a witness.

Servant is Recalled.
Minnie Roone, the cook of Captain Hains' household, was recalled to the stand today.

She said she made a mistake last night when she said she told Captain Hains the night of his return to the West of the happenings in his household; that it was two days later.

The witness said she overheard at 2 o'clock Sunday two days before Captain Hains' return from the West, a confession of Mrs. Hains to her husband.

The witness further declared that Mrs. Hains told her of a trip to New York last spring.

Captain Hains, the witness broke down when told of the New York trip to see a physician.

He wrung his hands, and said "It can't be true."